

[Enclosure No. 1.]

Minute of the Executive Council in Committee.

To His Excellency the Honorable Arthur Hamilton Gordon, C. M. G., Lieutenant Governor of the Province of New Brunswick, &c. &c. &c.

The Executive Council in Committee, have had under consideration Your Excellency's Memorandum submitted to them in December last, upon the subject of their Memorandum forwarded by Your Excellency to His Grace the Duke of Newcastle, in relation to the proposed change in the mode of appointment to the Presidency of the Legislative Council.

The Council observe, that while Your Excellency agrees with them as to the propriety of the change in the mode of appointment, Your Excellency objects to the tenure of the office as suggested by them.

In the tenth paragraph of the Memorandum, Your Excellency remarks that in a country like this a tendency to frequent changes is naturally strong, inasmuch as there are no institutions which, from their antiquity or their inherent dignity, claim an involuntary respect. The Council readily admit that their Institutions have not the antiquity of those of many other and older countries; they are nevertheless not prepared to admit that the people of this country desire change for the mere sake of change; but when they seek an alteration in their Institutions, it is with a view to improve and adapt them to the altered circumstances and condition of the country.

The Council cannot appreciate the force of Your Excellency's argument, that the frequent election of the President of the Legislative Council will have the effect to impair the permanent character of that Body; they now hold their situation during good behaviour, which is practically a life tenure, and their number is limited—under these circumstances the Council are of opinion that the election by themselves of one of their own number to preside over their deliberations, will not in any degree disturb the elements of stability which now exist in that Branch of the Legislature.

The Council entertain no apprehension that the contemplated change will lessen the dignity of that office, or result in the election of persons incompetent to exercise its functions. That body as at present composed, has many gentlemen whose intelligence, character and education eminently qualify them for the office, and the Council have every confidence that whatever change may hereafter take place in its composition, there will be found many persons in every respect fully competent for the situation, and they are well assured that the intelligence and integrity which have hitherto characterized that branch of the Legislature, will secure a judicious selection for the office.

The House of Assembly is a changing Body, but its past history affords no instance in which an incompetent person has been elected its Speaker; in many cases the same person has been elected more than once; and in the change now sought to be made, there will be nothing to prevent the election of the same person twice, or even oftener, if he is found to possess claims or qualifications superior to others.

The Council do not agree with the opinion expressed by Your Excellency in the thirteenth paragraph of your Memorandum; the argument employed rather implies that the Government is a permanent body, or at all events that it might exist a term sufficiently long to enable all its supporters to occupy the office of President. This in the nature of things cannot occur. Under the system of Responsible Government now established, frequent changes of Government necessarily take place, and besides, the Council have no fear that any Government would aid or give its support to the election of any person not qualified for the post.

(Signed)

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CHARLES WATTERS,

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